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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/940,201	08/27/2001	E-Chain Cheng	62005-1880	4908
24504	7590	09/30/2004	EXAMINER	
THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP 100 GALLERIA PARKWAY, NW STE 1750 ATLANTA, GA 30339-5948			ABRISHAMKAR, KAVEH	
		ART UNIT		PAPER NUMBER
		2131		2
DATE MAILED: 09/30/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/940,201	CHENG, E-CHAIN
	Examiner	Art Unit
	Kaveh Abrishamkar	2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 27 August 2001.  
 2a) This action is FINAL.                            2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-7 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-7 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
     Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
     Paper No(s)/Mail Date. \_\_\_\_\_

5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_

**DETAILED ACTION**

1. This action is in response to the communication filed on August 27, 2001. Claims 1 – 7 were received for consideration. No preliminary amendments for the claims were filed. Claims 1 – 7 are currently under consideration.

***Claim Rejections - 35 USC § 102***

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 – 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Kanevsky et al. (U.S. Patent 5,774,525).

Regarding claim 1, Kanevsky discloses:

An intelligent identifying method for allowing access to a computer file, the method comprising the following steps:  
obtaining a user's information being stored (column 2 line 66 – column 3 line 15);  
designing multiple question databases in accordance with the user's information by a means of transferring, and designing solutions corresponded to each question being stored in a solution database (column 4 lines 38 – 46);  
posing the user a series of questions selected from the question databases, and collecting answers from the user (column 5 lines 31 – column 6 line 10);

checking correctness of the answers in accordance with the solution database (column 5 lines 52 – 56, column 7 line 65 – column 8 line 7); and examining identity of the user in accordance to the correctness of the answers (column 2 lines 20 – 23, column 9 lines 8 – 25, column 10 lines 50 – 58).

Claim 2 is rejected as applied above in rejecting claim 1. Furthermore, Kanevsky discloses:

The method as claimed in claim 1, wherein the private information comprises address, age, job, blood type, telephone number, birthday and a prior-consumption data of the user (column 5 line 32 – column 6 line 10).

Claim 7 is rejected as applied above in rejecting claim 1. Furthermore, Kanevsky discloses:

The method as claimed in claim 1, wherein the series of questions are classified into multiple posing types including "Multiple-choice", "Yes Or No", and "Dialog" types (column 5 line 32 – column 6 line 10).

Claim 3 is rejected as applied above in rejecting claim 2. Furthermore, Kanevsky discloses:

The method as claimed in claim 2, wherein the means of transferring is a direct transferring method that the user's information is designed directly to at least one direct

question, whose solution is rested on the user's information (column 5 line 32 – column 6 line 10).

Claim 4 is rejected as applied above in rejecting claim 2. Furthermore, Kanevsky discloses:

The method as claimed in claim 2, wherein the means of transferring is an inferential method that the user's information is designed to at least one inferential question, whose solution is calculated by an eight diagram basis (column 7 lines 33 – 64).

Claim 5 is rejected as applied above in rejecting claim 2. Furthermore, Kanevsky discloses:

The method as claimed in claim 2, wherein the means of transferring is an inferential method that the user's information is designed to at least one inferential question, whose solution is calculated by an astrological basis (column 7 lines 33 – 64).

Claim 6 is rejected as applied above in rejecting claim 2. Furthermore, Kanevsky discloses:

The method as claimed in claim 2, wherein the means of transferring is a consuming method that the prior-consumption data is designed to at least one consumption question, whose solution is rested on the prior-consumption data of the user's information (column 7 lines 33 – 64).

***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kaveh Abrishamkar whose telephone number is 703-305-8892. The examiner can normally be reached on Monday thru Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KA  
09/27/2004



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